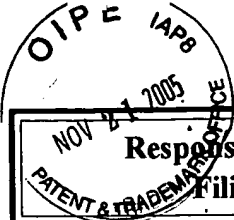


Rec'd PCT/PTO 21 NOV 2005



**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
LeA 36165

In Re Application Of: **Mertin, Dirk et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/516,344	11/30/2004	None Assigned Yet			

Invention: **Oral Pharmaceutical Preparations Comprising Ion Exchange Resins with Active Substance Loading and Pseudoplastic Gel-Former Thickeners**

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
05/31/2005  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Assignment

PCT/\$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/516,344

FIRST NAMED APPLICANT

Dirk MERTIN

ATTY. DOCKET NO.

LeA36165

INTERNATIONAL APPLICATION NO.

PCT/EP03/05228

I.A. FILING DATE

05/19/2003

PRIORITY DATE

05/31/2002

Richard S Bullitt  
 Bayer HealthCare  
 36 Columbia Road  
 Morristown, NJ 07962

CONFIRMATION NO. 9502

371 FORMALITIES LETTER



\*OC000000016149107\*

Date Mailed: 05/31/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/30/2004
- English Translation of the IA filed on 11/30/2004
- Copy of the International Search Report filed on 11/30/2004
- Oath or Declaration filed on 11/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,344	PCT/EP03/05228	LeA36165

FORM PCT/DO/EO/905 (371 Formalities Notice)

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
LEA 36165

In Re Application Of:

Mertin, Dirk et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/516,344	11/30/2004	None Assigned Yet			

Invention: **Oral Pharmaceutical Preparations Comprising Ion Exchange Resins with Active Substance Loading and Pseudoplastic Gel-Former Thickeners**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

- |   |          |
|---|----------|
| <input type="checkbox"/> Utility application basic fee  | _____    |
| <input type="checkbox"/> Design application basic fee   | _____    |
| <input type="checkbox"/> Search Fee   | \$0.00   |
| <input type="checkbox"/> Examination Fee  | \$0.00   |
| <input type="checkbox"/> Total number of independent claims = _____   | _____    |
| <input type="checkbox"/> Total number of claims = _____   | _____    |
| <input type="checkbox"/> Multiple dependent claims  | _____    |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | \$130.00 |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor               | _____    |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification                      | _____    |
| <input type="checkbox"/> Fee for processing and retention of application  | _____    |

Total completion of application fees **\$130.00**

Adjustment date: 04/21/2006 GFREY1  
11/23/2005 HKAYPAGH 00000136 021441 10516344  
01 FC:1617 130.00 CR

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☒ Four months ☐ Five months

from: July 30, 2005 until: November 30, 2005  
Date Date

Total time extension fees **\$1,590.00**

Total fees due **\$1,720.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
LeA 36165

In Re Application Of:

Mertin, Dirk et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/516,344	11/30/2004	None Assigned Yet			

**Invention: Oral Pharmaceutical Preparations Comprising Ion Exchange Resins with Active Substance Loading and Pseudoplastic Gel-Former Thickeners**

TO THE COMMISSIONER FOR PATENTS:

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The fee of \$1,720.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 02-1441
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-1441
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: November 18, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

11/18/2005

(Date)



Signature of Person Mailing Correspondence

Richard S. Bullitt

Typed or Printed Name of Person Mailing Correspondence

CC: